

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**VERONICA LASSITER,**

**Plaintiff,**

v.

**No. 17-cv-0850 JCH/SMV**

**HIDALGO MEDICAL SERVICES and  
DAN OTERO,**

**Defendants.**

**ORDER GRANTING DEFENDANTS' MOTION  
TO EXTEND DEPOSITION**

THIS MATTER is before the Court on Defendants' Motion for Leave to Extend the Deposition of Veronica Lassiter Beyond Seven Hours [Doc. 106], filed on June 4, 2018. Plaintiff has not responded, and the time for doing so has passed. *See* D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Pursuant to Local Rule 7.1(b), "[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." Accordingly, Plaintiff is deemed to have consented to the motion being granted.<sup>1</sup>

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Defendants' Motion for Leave to Extend the Deposition of Veronica Lassiter Beyond Seven Hours [Doc. 106] is **GRANTED**. Defendants may extend the deposition of Plaintiff Veronica Lassiter for one additional day not to exceed four hours of questioning on the record.

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<sup>1</sup> At the close of the first day of Plaintiff's deposition, on April 19, 2018, counsel for Plaintiff indicated opposition to extending the deposition beyond seven hours. *See* [Doc. 106] at 2; [Doc. 106-1] at 2–3. Defendants' motion further indicates that counsel attempted to confer in good faith with Plaintiff before filing the instant motion. [Doc. 106] at 7.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge